

Exhibit F

APPENDIX 1



ACLU

LDF
DEFEND EDUCATE EMPOWER

South Carolina
**Progressive
Network**

SOUTH CAROLINA
appleseed
LEGAL JUSTICE CENTER

LWV LEAGUE OF WOMEN VOTERS
OF SOUTH CAROLINA

Sent via email

Redistricting Ad Hoc Committee
Judiciary Committee
South Carolina House of Representatives
P.O. Box 11867
Columbia, South Carolina 29211
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Re: Duty to Comply with the U.S. Constitution and Voting Rights Act and Recommendations for Transparency, Public Involvement, and Fair Representation in South Carolina's Redistricting Process

Dear Chair Jordan and Committee Members:

In preparing for the imminent redistricting cycle, the NAACP Legal Defense and Educational Fund, Inc. ("LDF"),¹ American Civil Liberties Union, South Carolina State Conference of the NAACP, League of Women Voters of South Carolina, South Carolina Appleseed Legal Justice Center, and South Carolina Progressive Network Education Fund write to remind the Redistricting Ad Hoc Committee of its baseline affirmative obligations to comply with the U.S. Constitution and Section 2 of the Voting Rights Act.² Officials

¹ Since its founding in 1940, LDF has used litigation, policy advocacy, public education, and community organizing strategies to achieve racial justice and equity in political participation, education, economic justice, and criminal justice. Throughout its history, LDF has worked to enforce and promote laws and policies that increase access to the electoral process and prohibit voter discrimination, intimidation, and suppression. LDF has been fully separate from the National Association for the Advancement of Colored People ("NAACP") since 1957, though LDF was originally founded by the NAACP and shares its commitment to equal rights.

² On Monday, August 2, 2021, certain present signatories sent a letter to the Senate Judiciary Redistricting Subcommittee also urging them to adhere to their obligations to comply with federal law. LDF, *LDF Sends Letter to South Carolina Senate Judiciary Redistricting Subcommittee on their Duty to Comply with Section 2 of the Voting Rights Act and Recommendations for Transparency, Public Involvement, and Fair Representation* (Aug. 2, 2021), <https://www.naacpldf.org/news/ldf-sends-letter-to-south-carolina-senate-judiciary-redistricting-subcommittee-on-their-duty-to-comply-with-section-2-of-the-voting-rights-act-and-recommendations-for-transparency-public-involvement/>.

must ensure equality of access to representation to *all* South Carolinians, as well as non-dilution of the voting strength of South Carolina’s racial minority voters where relevant conditions exist. We also encourage the Committee to create meaningful opportunities for all residents to engage in *each* phase of the redistricting process—both in person and remotely, and both before and after receiving the U.S. Census data, beginning in mid-August and no later than September 30, 2021. Based on statements made at this Committee’s August 3 meeting, the undersigned have serious concerns that the Committee plans to proceed without needed public input and based on redistricting criteria that, in certain cases discussed below, are too limiting, not informed by public input, and contrary to federal law.

I. The Committee Must Ensure Compliance with the U.S. Constitution and Section 2 of the Voting Rights Act’s Mandates.

To ensure equality of access to representation—a cornerstone of our democracy—the U.S. Constitution’s Fourteenth Amendment requires states to balance the populations of people among districts at *all* levels of government. To ensure that racial minority voters have the opportunity to elect their preferred candidates, Section 2 of the Voting Rights Act prohibits states and other bodies responsible for redistricting from drawing electoral lines with the intent or effect of diluting the voting strength of voters of color. Accordingly, this Committee must ensure that any maps it adopts comply with the “One Person, One Vote” mandate of the Fourteenth Amendment’s Equal Protection Clause³ and Section 2’s “nationwide ban on racial discrimination in voting.”⁴

A. Fulfilling the “One Person, One Vote” Requirement

The “One Person, One Vote” principle provides that redistricting schemes that weaken the voting power and representation of residents of one area of a state as compared to others elsewhere in the same state cannot withstand

³ *Reynolds v. Sims*, 377 U.S. 533, 565–68 (1964); *id.* at 558 (quoting *Gray v. Sanders*, 372 U.S. 368, 381 (1963)) (“The conception of political equality from the Declaration of Independence, to Lincoln’s Gettysburg Address, to the Fifteenth, Seventeenth, and Nineteenth Amendments can mean only one thing—one person, one vote.”); see U.S. Const. amend. XIV, § 1 (“No State shall . . . deny to any person within its jurisdiction the equal protection of the laws.”).

⁴ *Shelby Cty., Ala. v. Holder*, 570 U.S. 529, 557 (2013); 52 U.S.C. § 10301(a) (“No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied . . . in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color . . .”).

constitutional scrutiny.⁵ In *Reynolds v. Sims*, the U.S. Supreme Court explained that: “[d]iluting the weight of votes because of place of residence impairs basic constitutional rights under the Fourteenth Amendment just as much as invidious discriminations based upon factors such as race . . . or economic status”⁶ Since *Reynolds*, “the seats in both houses of a bicameral state legislature must be apportioned on a population basis.”⁷

Maps may violate this principle if a legislative body’s districts impermissibly deviate from population equality. Absent certain circumstances, congressional districts must have equal population “as nearly as practicable.”⁸ State and local legislative bodies, by comparison, *may* have population deviations within plus or minus 5% of the mathematical mean.⁹ Impermissible deviations from population equality among districts may elicit malapportionment lawsuits, requiring the Legislature to show that an adopted plan legitimately advances a rational state policy formulated “free from any taint of arbitrariness or discrimination.”¹⁰

In the 2016 case of *Evenwel v. Abbott*, the U.S. Supreme Court acknowledged the longstanding principle that “representatives serve all residents, not just those eligible or registered to vote,” and accordingly, affirmed that an appropriate metric for assessing population equality across districts is total population—counting *all* residents, regardless of their citizenship or

⁵ See *Reynolds*, 377 U.S. at 567–68.

⁶ *Id.* at 565–66.

⁷ *Id.*

⁸ *Wesberry v. Sanders*, 376 U.S. 1, 8 (1964); *Karcher v. Daggett*, 462 U.S. 725, 730–31 (1983) (holding that congressional districts must be mathematically equal in population, unless a deviation from that standard is necessary to achieve a legitimate state objective).

⁹ See *Reynolds*, 377 U.S. at 568 (“The Equal Protection Clause demands no less than substantially equal state legislative representation for all citizens, of all places as well as of all races.”); see also *Gaffney v. Cummings*, 412 U.S. 735, 744–45 (1973) (explaining that “minor deviations from mathematical equality among state legislative districts” are not constitutionally suspect, but “larger variations from substantial equality are too great to be justified by any state interest”); *Brown v. Thomson*, 462 U.S. 835, 842 (1983) (holding that apportionment plans with a maximum population deviation among districts of less than 10% are generally permissible, whereas disparities in excess of 10% most likely violate the “one person, one vote” principle).

¹⁰ *Roman v. Sincock*, 377 U.S. 695, 710 (1964); see *Brown*, 462 U.S. at 847–48 (stating that “substantial deference” should be given to a state’s political decisions, provided that “there is no ‘taint of arbitrariness or discrimination’”); see also *Brown*, 462 U.S. at 852 (Brennan, J., dissenting) (“Acceptable reasons . . . must be ‘free from any taint of arbitrariness or discrimination’”).

registered-voter status.¹¹ In cases dating back to at least 1964, “the Court has consistently looked to total-population figures when evaluating whether districting maps violate the Equal Protection Clause by deviating impermissibly from perfect population equality.”¹² Accordingly, “[t]oday, all States use total-population numbers from the census when designing congressional and state-legislative districts”¹³

B. Complying with Section 2 of the Voting Rights Act

Section 2 demands that South Carolina’s racial minority voters have an equal opportunity “to participate in the political process and elect candidates of their choice,” in light of the state or locality’s demographics, voting patterns, history, and other factors under the “totality of circumstances.”¹⁴ Redistricting maps may dilute people of color’s voting power, violating Section 2, if: (1) a district can be drawn in which the minority community is sufficiently large and geographically compact to constitute a majority; (2) the minority group is politically cohesive; and (3) in the absence of a majority-minority district, candidates preferred by the minority group would usually be defeated due to the political cohesion of non-minority voters for their preferred candidates.¹⁵

After establishing these preconditions, a “totality of circumstances” analysis determines whether minority voters “have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.”¹⁶ Because of South Carolina’s stark patterns of voting along racial lines,¹⁷ which strikes at the heart of a potential minority vote

¹¹ *Evenwel v. Abbott*, 136 S. Ct. 1120, 1132 (2016).

¹² *Id.* at 1131.

¹³ *Id.* at 1124.

¹⁴ *See Thornburg v. Gingles*, 478 U.S. 30, 34 (1986).

¹⁵ *Id.*

¹⁶ 52 U.S.C. § 10301(b); *Colleton Cty. Council v. McConnell*, 201 F. Supp. 2d 618, 632 (D.S.C. 2002) (quoting *Gingles*, 478 U.S. at 47) (“[Section] 2 prohibits the implementation of an electoral law that ‘interacts with social and historical conditions to cause an inequality in the opportunities enjoyed by black and white voters to elect their preferred representatives.’”); *see also LULAC v. Perry*, 548 U.S. 399, 425 (2006) (describing the operation of the “totality of the circumstances” standard in the vote-dilution claims).

¹⁷ *See, e.g., McConnell*, 201 F. Supp. 2d at 643 (“Voting in South Carolina continues to be racially polarized to a very high degree . . . in all regions of the state and in both primary elections and general elections.”); *see also, e.g., United States v. Charleston Cty., S.C.*, 365 F.3d 341, 350 (4th Cir. 2004) (county voting “is severely and characteristically polarized along racial lines”); *Jackson v. Edgefield Cty., S.C. Sch. Dist.*, 650 F. Supp. 1176, 1196 (D.S.C. 1986)

dilution claim,¹⁸ South Carolina’s legislature must be attuned to its obligations under Section 2 of the Voting Rights Act.

Indeed, federal courts have found that prior South Carolina redistricting plans reflected legislators’ self-interests and failed to create majority-minority opportunity districts as Section 2 requires. For example, in 2002 the U.S. District Court for South Carolina noted that evidence of racially polarized voting statewide “overwhelmingly demonstrate[d]” the need to create majority-Black legislative and congressional districts—that is, minority voters being “generally politically cohesive” to vote together as a bloc and the majority of voters “vote sufficiently as a bloc to defeat the minority’s preferred candidate.”¹⁹

The Committee must be especially vigilant when redrawing maps because of historical and current realities that enhance the risk of racial discrimination in voting. South Carolina has a long and ongoing record of denying and abridging the voting rights of Black and other voters of color through various discriminatory voting rules.²⁰ Of many examples, an 1892 South Carolina voter registration law “is estimated to have disfranchised 75 percent of South Carolina’s [B]lack voters.”²¹ Three years later, the State’s 1895 Constitution “was a leader in the widespread movement to disenfranchise [eligible Black citizens].”²² Indeed, until 1965, South Carolina enforced both a literacy test and a property test that were “specifically designed to prevent

(observing that “the outcome of each [election] could be statistically predicted and reasonably explained by the race of the voters”); *id.* at 1198 (“The tenacious strength of white bloc voting usually is sufficient to overcome an electoral coalition of black votes and white ‘crossover’ votes.”).

¹⁸ *Gingles*, 478 U.S. at 48 n.15; *see also Johnson v. De Grandy*, 512 U.S. 997, 1007 (1994) (explaining that racially polarized voting increases the potential for discrimination in redistricting, because “manipulation of district lines can dilute the voting strength of politically cohesive minority group members”); *N. Carolina State Conf. of NAACP v. McCrory*, 831 F.3d 204, 221 (4th Cir. 2016) (noting that racially polarized voting is “[o]ne of the critical background facts of which a court must take notice” in Section 2 cases); *Collins v. City of Norfolk, Va.*, 816 F.2d 932, 936-38 (4th Cir. 1987) (emphasizing that racially polarized voting is a “cardinal factor[]” that “weigh[s] very heavily” in determining whether redistricting plans violate Section 2 by denying Black voters equal access to the political process).

¹⁹ *See Colleton Cty. Council*, 201 F. Supp. 2d at 642.

²⁰ John C. Ruoff and Harbert E. Buhl, *Voting Rights in South Carolina 1982-2006*, Southern California Review of Law and Social Justice, Vol. 17(2) 643 (2008).

²¹ *Condon v. Reno*, 913 F. Supp. 946, 949 (D.S.C. 1995).

²² *South Carolina v. Katzenbach*, 383 U.S. 301, 319 n.9 (1966).

[Black people] from voting.”²³ And, after the Voting Rights Act’s enactment in 1965, South Carolina promptly challenged the Act’s constitutionality, continuing its historical practice of working to deny equal voting rights to Black voters.²⁴ Before Senator Tim Scott’s historic election in 2014, *no* Black candidate had been elected to state-wide office in South Carolina since Reconstruction.²⁵

This is also South Carolina’s first redistricting cycle *without* the protections of Section 5 of the Voting Rights Act, which played a critical role in safeguarding against proposed retrogressive voting plans—plans that made the ability for racial minority voters to participate politically worse off than the existing plans—in prior redistricting cycles.²⁶ With preclearance in place, “discriminatory changes in voting practices or procedures in South Carolina” elicited over 120 objections from the U.S. Department of Justice,²⁷ including at least 27 objections between 1970 and 2002 in cases where a proposed state or local redistricting plan “ha[d] the purpose of or w[ould] have the effect of diminishing the ability of . . . citizens of the United States on account of race or color . . . to elect their preferred candidates of choice.”²⁸ Three of these objections specifically challenged post-census House redistricting plans in three redistricting cycles in 1971, 1981, and 1994, including maps that would have resulted in the fragmentation and dilution of Black voting strength.²⁹ Without preclearance, this Committee must affirmatively facilitate a redistricting process that complies with federal mandates in force, including Section 2 of the Voting Rights Act and the Fourteenth and Fifteenth Amendments’ prohibitions on racial discrimination.³⁰

²³ *Id.* at 310.

²⁴ *See id.* at 307.

²⁵ Jamie Self, *Scott Makes History: SC Elects First African American to Senate*, The State (Nov. 4, 2014), <https://www.thestate.com/news/politics-government/politics-columns-blogs/the-buzz/article13908368.html>; *see* Ruoff, *supra* note 20, at 649.

²⁶ *See Shelby*, 570 U.S. at 557.

²⁷ U.S. Department of Justice, *Voting Determination Letters for South Carolina*, <https://www.justice.gov/crt/voting-determination-letters-south-carolina> (last updated: Aug. 7, 2015).

²⁸ *Id.*; Ruoff, *supra* note 20, at 645, 655-57; *see* 52 U.S.C. § 10304(b).

²⁹ *Voting Determination Letters for South Carolina*, *supra* note 27; Ruoff, *supra* note 20, at 678.

³⁰ As referenced above, though Section 2 does not require a showing of discriminatory intent, it also prohibits intentional discrimination in voting, and the analysis of such Section 2 claims mirror the test for raising such claims under the Fourteenth and Fifteenth Amendments.

Failure to comply with Section 2's requirements during this redistricting cycle would again expose the State of South Carolina or its constituent jurisdictions to costly litigation. For example, lawmakers in Charleston County spent \$2 million unsuccessfully defending against a Section 2 claim.³¹ After losing the lawsuit, the County paid an additional \$712,027 in plaintiffs' attorneys' fees and costs.³²

Whether or not Section 2 conditions can be met, the U.S. Constitution protects against maps that intentionally "pack" Black voters into districts with unnecessarily high Black populations or "crack" them into districts with unnecessarily low ones—both stratagems that can illegitimately elevate race over other considerations and diminish the political power of Black voters.³³

Moreover, where legal conditions are not sufficient for the creation of majority-minority opportunity districts under Section 2, this body should

See United States v. Charleston Cty., 316 F. Supp. 2d 268, 272 (D.S.C. 2003), *aff'd sub nom. United States v. Charleston Cty., S.C.*, 365 F.3d 341 (4th Cir. 2004) ("Claims of intentional discrimination under Section 2 are assessed according to the standards applied to constitutional claims of intentional racial discrimination in voting."). Redistricting plans adopted and/or maintained with a discriminatory purpose may be intentionally discriminatory. *See Rogers v. Lodge*, 458 U.S. 613, 622-27 (1982). Governmental bodies may have more than one motive in their decision-making. *See Vill. of Arlington Heights v. Metro. Housing Dev. Corp.*, 429 U.S. 252, 265 (1977) ("Rarely can it be said that a legislature or administrative body operating under a broad mandate made a decision motivated solely by a single concern, or even that a particular purpose was the 'dominant' or 'primary' one."). And it is sufficient to show that "a discriminatory purpose [was] a motivating factor" in the challenged decision. *Id.* at 265-66.

³¹ Order Granting Attorneys' Fees, *Moultrie v. Charleston Cty.*, No. 2:01-cv-00562-PMD (D.S.C. Aug. 8, 2005).

³² Congressional Authority to Protect Voting Rights After Shelby County v. Holder: Hearing Before the Subcomm. on the Constitution, Civil Rights and Civil Liberties of the H. Comm. on Judiciary, 116th Cong. 14 (Sept. 24, 2019) (Written Testimony of Professor Justin Levitt) (citing Amended Judgment, *Moultrie v. Charleston Cty.*, No. 2:01-0562 (D.S.C. Aug. 9, 2005)).

³³ *See, e.g., Ala. Leg. Black Caucus v. Alabama*, 575 U.S. 254, 278 (2015); *Bethune-Hill v. Virginia State Bd. of Elections*, 326 F. Supp. 3d 128, 180 (E.D. Va. 2018) (three-judge court) (holding that 11 state legislative districts were unconstitutional racial gerrymanders because the legislature decided to make them all meet a 55% BVAP target for which there was no strong basis in evidence); *Smith v. Beasley*, 946 F. Supp. 1174, 1210 (D.S.C. 1996) (holding that districts for which a legislature imposes unnecessarily high BVAP targets will fail constitutional scrutiny, because Section 2 "does not require super-safe majority-minority districts of at least 55% BVAP," and explaining: "Such districts should be narrowly tailored so that each district is considered individually and lines are drawn so as to achieve a district where minority citizens have an equal chance of electing the candidate of their choice. Districts in which most minority citizens register and vote will not need 55% BVAP to elect a candidate of choice. To be narrowly tailored, such facts should be considered when district lines are drawn.").

prioritize the creation of minority influence and minority coalition districts.³⁴ As the U.S. Supreme Court explained, compliance with the Voting Rights Act is a nuanced, fact-specific inquiry that requires an “intensely local appraisal” based “upon the facts of each case.”³⁵ Simplistic and crude interpretations of the Act should not be used as a pretext to disadvantage communities of color. While South Carolina has made progress since 1965, this Committee must not fail to fulfill its affirmative obligations under Section 2 and the U.S. Constitution. It must proactively assess whether redistricting lines dilute minority voters’ ability to elect candidates of their choice or otherwise intentionally relegate Black voters into districts that minimize their political power.

* * *

Ultimately, this Committee must bear in mind that both the Voting Rights Act and the “one person, one vote” ideal embody fundamental principles of democracy, political representation, and constituent equity. “There can be no truer principle than . . . that every individual of the community at large has an equal right to the protection of government.”³⁶ Additionally, dilutive redistricting plans that deprive Black voters of the opportunity to elect their preferred candidates have a direct impact on Black voters’ access to representatives who will be responsive to the needs of their communities.³⁷

II. This Committee Must Ensure Public Involvement and Transparency During *All* Phases of Redistricting, and Should Model Best Practices for Local Government.

The maps that the Legislature will consider over the coming months will likely be in place for at least the next decade. They will be foundational to residents’ access to political representation and to eligible voters’ access to the right to vote for candidates of choice for congressional, legislative, and local

³⁴ See, e.g., *Holloway v. City of Virginia Beach*, No. 2:18-CV-69, 2021 WL 1226554, at *18 (E.D. Va. Mar. 31, 2021) (explaining that “[t]wo or more politically cohesive minority groups can bring a claim as a coalition under Section 2”).

³⁵ *Gingles*, 478 U.S. at 79.

³⁶ Alexander Hamilton, *1 Records of the Federal Convention of 1787*, p. 473 (M. Farrand ed. 1911).

³⁷ Testimony of Laughlin McDonald, American Civil Liberties Union Foundation, Before the House Committee on the Judiciary Subcommittee on the Constitution: The Voting Rights Act: The Continuing Need for Section 5, <https://www.aclu.org/other/testimony-laughlin-mcdonald-director-aclus-voting-rights-project-house-judiciary-subcommittee> (last visited July 29, 2021).

governing bodies. No one is more qualified than the public to discern which maps allow (or do not allow) communities to have a voice and a choice in the process of electing their representatives. Accordingly, *any* maps that the Legislature proposes or otherwise considers must reflect South Carolina in all its diversity. We share the below recommendations to assist the Committee in meeting this significant responsibility.

Prioritize Public Involvement, Including by Allowing Remote Testimony in All Committee Hearings: The 10 Public Hearings scheduled from September 8 through October 4, 2021 are a positive first step in fulfilling this Committee’s obligations to create meaningful opportunities for public engagement in the redistricting process. However, the signatories to this letter are concerned about the lack of any opportunities for members of the public to participate remotely in any but the final of these hearings on October 4. This decision is especially concerning given that the Committee’s reasons for denying opportunities to testify remotely at the first nine meetings appear to rest entirely on purported logistical “difficulties.”³⁸

Going forward, we urge this Committee to adopt the following processes and safeguards for the benefit of all South Carolinians:

- ***Allow remote participation in all public hearings.*** During the Committee’s first meeting on August 3, Chair Jordan acknowledged that remote testimony is “a great tool to allow folks to participate,”³⁹ and conceded that testifying remotely would likely be the only “opportunity to participate in the process” for “anyone who couldn’t get to the public input meetings in person.”⁴⁰ Chair Jordan also acknowledged that he and Representative Brandon Newton, a member of this Committee, were familiar with the Microsoft Teams platform from their service on the Election Law Subcommittee and that it was “a great

³⁸ See South Carolina Legislature, *Video archives by meeting time*, <https://www.scstatehouse.gov/video/archives.php> (last visited Aug. 6, 2021) (click on link titled “Tuesday, August 3, 2021 10:30 am, House Judiciary Committee -- House Redistricting Ad Hoc Committee”).

³⁹ *Id.* at 6:49–6:51.

⁴⁰ *Id.* at 5:54–6:23; *id.* at 6:51–7:04 (“So that is kind of the idea of that October 4th [meeting], to give anyone for any reason that couldn’t be at the in-person meetings, there’s your opportunity to come and participate in the process.”).

tool” that “works most of the time.”⁴¹ Nonetheless, citing purported “difficulties,”⁴² Chair Jordan announced that the Committee will deny members of the public any opportunity to testify remotely until the Committee’s final meeting on October 4, 2021.⁴³ Providing only one opportunity—at the *end* of the Committee’s deliberative process—is gravely insufficient. Members of the public who cannot travel or take time off to attend Committee hearings should be provided multiple opportunities, as early as possible, to respond to maps proposed by this Committee, to offer legally compliant alternatives to Committee proposals, and to have this body consider any such alternatives, as well as otherwise engage in robust discussion with members of the public about proposed maps.

- The Committee should reconsider this decision and ensure that the option to testify remotely is available at *each* of its meetings, as the Committee’s Senate counterparts have done.⁴⁴ Especially in light of the Legislature’s ample budget for redistricting, there is no reason the Committee cannot engage a technical specialist to operate Microsoft Teams or another videoconferencing platform if the Committee’s members feel that they lack the technical proficiency to do so themselves.⁴⁵
- ***Continue to host regular public hearings and publish adequate notice and documentation of all such meetings.*** The public should be granted sufficient and accessible notice of hearings at least 7-10

⁴¹ *Id.* at 6:30–6:48.

⁴² ⁴² *Id.* at 5:10–5:14 (Chair Jordan stating: “As we’ve all experienced in this new era, virtual certainly is a good thing. It does not come without its difficulties.”).

⁴³ *Id.* at 6:02–6:32; see South Carolina House of Representatives, *Tentative Public Hearing Schedule*, <https://redistricting.schouse.gov/docs/Tenative%20Public%20Hearing%20Schedule.pdf> (last visited Aug. 6, 2021).

⁴⁴ See South Carolina Legislature, Senate Judiciary Committee, *Press Release: S.C. Senate Begins Redistricting Public Hearings* (July 23, 2021), <https://redistricting.scsenate.gov/docs/Updated%20Press%20Release%20-%20Senate%20Judiciary%20Redistricting%20Subcommittee%20-%20Public%20Hearing%20Process%2007-23-21.pdf> (“You may attend the public hearings and speak either online or in person.”).

⁴⁵ See South Carolina Legislature, *Video archives by meeting time*, *supra* note 38 at 5:22–5:38 (Chair Jordan stating: “It seems like, and maybe it’s partially my fault as a technically unsophisticated technology person, it doesn’t come without a price as far as the logistics of getting it prepared, and having it work sometimes and not work other times, and again that’s [the] user sometimes as well.”).

business days to allow communities to prepare meaningful testimony and supporting materials, including proposed maps. To ensure that the voices of voters of color in particular are heard, this Committee should proactively post notice of public hearings in media outlets that serve communities of color, and utilize social media platforms that reach a wide range of South Carolina residents.

- ***Revise and update the Committee’s published redistricting principles based on public testimony and an accurate understanding of federal and state redistricting requirements.*** We are concerned, *first*, that the Committee has adopted guidelines and criteria for the imminent redistricting cycle before conducting any hearings or receiving public input,⁴⁶ thus depriving the Committee of the opportunity to incorporate concerns and priorities raised in public testimony into such criteria.
- *Second*, the Committee’s guidelines appear to misstate certain federal standards. For example, they appear to impose an unnecessarily low range of population deviation among districts,⁴⁷ which may impede the Legislature from meeting its statutory obligation to create majority-minority opportunity districts where required by Section 2.⁴⁸ The Committee’s guidelines also mischaracterize constitutional standards when they state that race “shall not be the predominant factor in motivating the legislature’s decisions concerning the redistricting plan.”⁴⁹ In fact, as the U.S. Supreme Court has explained, a state *may* constitutionally use race as the predominant factor in redistricting when the state has “a strong basis in evidence” giving it “good reason to believe” that doing so is necessary to achieve a

⁴⁶ S.C. House of Representatives, Judiciary Comm., Redistricting Ad Hoc Comm., *2021 Guidelines and Criteria for Congressional and Legislative Redistricting* (adopted Aug. 3, 2021), <https://redistricting.schouse.gov/docs/2021%20Redistricting%20Guidelines.pdf>.

⁴⁷ *Id.* at 2 (“In every case, efforts should be made to limit the overall range of deviation from the ideal population to less than five percent, or a relative deviation in excess of plus or minus two and one-half percent for each South Carolina House district.”); *but see Voinovich v. Quilter*, 507 U.S. 146, 161 (1993) (noting that a plan with a maximum deviation under 10% is generally considered to fall within the category of permissible minor deviations).

⁴⁸ *See McConnell*, 201 F. Supp. 2d at 628 (citing *Abrams v. Johnson*, 521 U.S. 74, 90, 96 (1997)) (“In fashioning these constitutionally mandated equipopulous plans, the [redistricting authority] must comply with the racial-fairness mandates of § 2 of the Voting Rights Act . . .”).

⁴⁹ Redistricting Ad Hoc Comm., *Guidelines and Criteria*, *supra* note 46, at 2.

compelling state interest, such as compliance with Section 2 of the Voting Rights Act.⁵⁰ As written, the Committee’s current guidelines on the role of non-dilution of minority voting strength in redistricting may impede such compliance.

- *Third*, the guidelines’ inclusion of “Incumbency Considerations” as a criterion means that the Committee must take care not to elevate incumbency protection above federal mandates or other redistricting principles. While certainly secondary to affirmative federal obligations, other state traditional redistricting principles such as compactness, contiguity, and maintaining communities of interest should also be considered and given priority over ensuring incumbent protection to ensure that district lines serve South Carolinians equitably and do not unconstitutionally or illegally dilute minority voting strength. Indeed, protecting incumbents is not such a sacrosanct principle, particularly to the extent that it conflicts with requirements under the Voting Rights Act.⁵¹ In a past redistricting cycle, the U.S. Department of Justice found that a South Carolina House of Representatives redistricting plan “gave little or no consideration to Section 2 of the Voting Rights Act,” and, that, “[i]nstead, incumbency protection drove the process as the existing plan was altered only if all the affected representatives agreed.”⁵² Going forward, the Committee should scrupulously comply with the stricture in its guidelines that “incumbency considerations shall not

⁵⁰ *Ala. Leg. Black Caucus*, 575 U.S. at 254.

⁵¹ *See, e.g., Jeffers v. Clinton*, 756 F. Supp. 1195, 1199–1200 (E.D. Ark. 1990) (“The desire to protect incumbents, either from running against each other or from a difficult race against a black challenger, cannot prevail if the result is to perpetuate violations of the equal-opportunity principle contained in the Voting Rights Act”); *Dillard v. City of Greensboro*, 956 F. Supp. 1576, 1580–82 (M.D. Ala. 1997) (concurring with the Special Master’s view “that incumbency protection is a legitimate factor, but one that is subordinate to the traditional districting criteria”); *see also Ketchum v. Byrne*, 740 F.2d 1398, 1408 (7th Cir. 1984) (expressing skepticism about incumbency protection in plans designed to remedy Voting Rights Act violations because “many devices employed to preserve incumbencies are necessarily racially discriminatory”).

⁵² U.S. Dep’t of Justice, Civil Rights Division, *Ltr. from Deval Patrick, Assistant Attorney General, to the Honorable Robert J. Sheheen, Speaker of the S.C. House of Reps.* 8 (May 2, 1994), <https://www.justice.gov/sites/default/files/crt/legacy/2014/05/30/SC-1980.pdf>.

influence the redistricting plan to such an extent as to overtake other redistricting principles.”⁵³

- ***Provide meaningful opportunities for the public to review, provide comments on, and propose community maps, including for those who are unable to attend meetings in person.*** As referenced above, the undersigned encourage you to develop a mechanism for South Carolinians to submit written comments and questions regarding the State’s proposed maps, to submit alternative maps that are available to other members of the public, and to incorporate these maps into the legislative record.

Ensure Transparency: Informed involvement by all South Carolinians requires transparency and meaningful opportunities for public participation at *all* stages of the redistricting process. The recently launched House of Representatives redistricting website is a first step towards a transparent and inclusive process.⁵⁴ We further encourage the Committee to:

- ***Update the Redistricting Ad Hoc Committee’s redistricting website daily and share information on social media platforms.*** These updates should include public meeting notices, proposed meeting agendas, and proposed maps, which should be posted at least a week before the legislature considers the map, along with all relevant district-level data associated with any proposed maps, including but not limited to demographic data. The identity of any expert or consultant the State engages to assist with the redistricting process should also be posted.
- ***Publicize all data used by the Legislature to inform its redistricting plans.*** Make data available in real time, including any data released by the U.S. Census Bureau relevant to South Carolina and redistricting. This data should be publicized in a format that can be used by the public.
- ***Publish a tentative schedule for proposing or adopting maps.*** To allow opportunities for input and informed participation by

⁵³ Redistricting Ad Hoc Comm., *Guidelines and Criteria*, *supra* note 46, at 3.

⁵⁴ South Carolina Legislature, *South Carolina House of Representatives Redistricting 2021*, <https://redistricting.schouse.gov/> (last visited Aug. 7, 2021).

interested South Carolinians, share with the public a tentative schedule or timeline by which the Committee is likely to consider or vote on maps.

Model Best Practices for Local Government Redistricting: Redistricting by the Legislature also sets the standard and tone for local redistricting in the State. Over the coming months, therefore, this Committee should serve as an exemplar for other governing bodies charged with redistricting, particularly at the local level. As with state-level representative bodies, the Voting Rights Act also requires that voters of color be provided equal opportunities to elect representatives of their choice to city and county councils, school boards, and other elected local bodies.

This is particularly critical in light of prior violations at the local level. The U.S. Department of Justice filed 26 objections to South Carolina school district election methods, nominations, and redistricting maps between 1972 and 2010, meaning that, on more than two dozen occasions, the Department was unable to conclude that a local South Carolina redistricting plan “neither ha[d] the purpose nor w[ould] have the effect of denying or abridging the right to vote on account of race or color.”⁵⁵ At least two districts were found to have at-large election methods that interacted with social and historical conditions to dilute the voting strength of Black voters, in violation of Section 2.⁵⁶ To prevent racially discriminatory vote dilution at the local level in the 2021 redistricting cycle, consistent with its authority, the Legislature should model best practices and require all local entities charged with redistricting responsibilities to commit to following similar best practices.⁵⁷

* * *

Please feel free to contact John Cusick at Jcusick@naacpldf.org with any questions or to discuss these issues in more detail. We also urge you to review **Power on the Line(s): Making Redistricting Work for Us**,⁵⁸ a guide for

⁵⁵ *Voting Determination Letters for South Carolina*, *supra* note 27; see 52 U.S.C. § 10304(a).

⁵⁶ See *United States v. Charleston Cty.*, 316 F. Supp. 2d 268 (D.S.C. 2003), *aff'd sub nom. United States v. Charleston Cty.*, S.C., 365 F.3d 341 (4th Cir. 2004); see *United States v. Georgetown County School District*, No. 2:08-cv-00889 (D.S.C. 2008).

⁵⁷ See, e.g., *Moye v. Caughman*, 217 S.E.2d 36 (1975) (finding that the South Carolina legislature has authority over school district redistricting plans).

⁵⁸ See LDF, Mexican American Legal Defense and Educational Fund, and Asian Americans Advancing Justice | AAJC, *Power on the Line(s): Making Redistricting Work for Us*, (2021),

community partners and policy makers who intend to engage in the redistricting process at all levels of government. The guide provides essential information about the redistricting process, such as examples of recent efforts to dilute the voting power of communities of color and considerations for avoiding such dilution. The guide includes clear, specific, and actionable steps that community members and policy makers can take to ensure that voters of color can meaningfully participate in the redistricting process and hold legislators accountable.

Sincerely,

/s/ Steven Lance

Leah Aden, Deputy Director of Litigation
 Stuart Naifeh, Manager of the Redistricting Project
 Raymond Audain
 John S. Cusick
 Steven Lance
 Evans Moore
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 League of Women Voters of South Carolina

Sue Berkowitz, Director
 South Carolina Appleseed Legal Justice Center

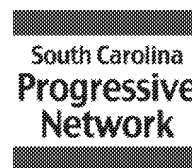
<https://www.naacpldf.org/press-release/civil-rights-organizations-release-redistricting-guide-to-support-black-latino-and-aapi-communities-participation-in-crucial-process/>.

(803) 779-1113 x 101

Brett Bursey, Executive Director
South Carolina Progressive Network Education Fund
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cc: Rep. Patricia Moore Henegan
Chair, South Carolina Legislative Black Caucus

Rep. Ivory Thigpen
Chair-Elect, South Carolina Legislative Black Caucus



August 30, 2021

Sent via email

Redistricting Ad Hoc Committee
Judiciary Committee
South Carolina House of Representatives
Columbia, South Carolina 29211
redistricting@schouse.gov

Re: Follow-up on Recommendations for Transparency, Public Involvement, and Fair Representation in South Carolina's Redistricting Process

Dear Chair Jordan and Committee Members:

The NAACP Legal Defense and Educational Fund, Inc. ("LDF"),¹ American Civil Liberties Union ("ACLU"), ACLU of South Carolina, South Carolina State Conference of the NAACP, League of Women Voters of South Carolina, South Carolina Appleseed Legal Justice Center, and South Carolina Progressive Network Education Fund write to reiterate our grave concern with the Committee's failure to provide transparency and opportunities for meaningful public participation in advance of any vote on state legislative plans, and to ask additional questions about how the Committee plans to proceed during the redistricting cycle that is now underway.

On August 9, 2021, several of the present signatories wrote to you, in part, to recommend ways to involve your constituents and other community members,

¹ Since its founding in 1940, LDF has used litigation, policy advocacy, public education, and community organizing strategies to achieve racial justice and equity in political participation, education, economic justice, and criminal justice. Throughout its history, LDF has worked to enforce and promote laws and policies that increase access to the electoral process and prohibit voter discrimination, intimidation, and suppression. LDF has been fully separate from the National Association for the Advancement of Colored People ("NAACP") since 1957, though LDF was originally founded by the NAACP and shares its commitment to equal rights.

as well as to ensure transparency during *all* stages of the redistricting process.² As we also explained in that letter, transparency and robust public input is necessary to assist this Committee with its affirmative obligations to comply with the U.S. Constitution, Section 2 of the Voting Rights Act, and other parameters.

Unfortunately, in the three weeks since we shared our letter, this Committee has failed to make any effort to provide transparency about its redistricting process and seemingly intends to deny sufficient opportunities for public participation. Because of these shortcomings, we write with these additional questions on how the Committee plans to proceed during the present redistricting cycle:

1. When does the Committee intend to share proposed maps with the public?
2. Based on the Committee's intended schedule, when will the public have the opportunity to propose maps for the Committee's consideration, and what is the Committee doing to ensure that the public is aware of this timing?
3. To what extent does the Committee intend to hold public hearings in which testimony and public comment can be provided on maps proposed by the Committee and maps proposed by members of the public, *before* such maps are finalized or approved by the Committee?
4. What are the Committee's current plans to communicate with the public throughout this process? Does the Committee plan to use radio or web advertising or other means to raise public awareness of upcoming hearings, or is the Committee's website the only way for people to obtain this information?
5. Our understanding is that the Committee's procedures for the current redistricting cycle provide less transparency and fewer opportunities for public participation and meaningful input, as compared to the post-2010 redistricting cycle. What is the explanation for this change?

In closing, we remind the Committee that any maps it adopts must at a bare minimum comply with the "One Person, One Vote" mandate of the

² Letter from LDF, et al., to the S.C. House of Representative Judiciary Committee's Redistricting Ad Hoc Committee (Aug. 9, 2021), https://www.naacpldf.org/wp-content/uploads/Letter-to-SC-House-Redistricting-Ad-Hoc-Committee_08.09.2021_final.pdf.

Fourteenth Amendment’s Equal Protection Clause³ and Section 2’s “nationwide ban on racial discrimination in voting,”⁴ and that its actions implicate areas of deep public concern that call for the highest standards of transparency, integrity, and public accountability. Thus far, the evidence of which we are aware indicates that this Committee is failing to ensure fair, transparent, and participatory redistricting. We, therefore, call on the Committee to immediately take steps to remedy these shortcomings. We request your response in writing **by 5:00 p.m. on Wednesday, September 1, 2021.**

* * *

Please feel free to contact Steven Lance at slance@naacpldf.org with any questions or to discuss these issues in more detail. We also urge you once again to review ***Power on the Line(s): Making Redistricting Work for Us***,⁵ a guide for community partners and policy makers who intend to engage in the redistricting process at all levels of government. The guide provides essential information about the redistricting process, such as examples of recent efforts to dilute the voting power of communities of color and considerations for avoiding such dilution. The guide includes clear, specific, and actionable steps that community members and policy makers can take to ensure that voters of color can meaningfully participate in the redistricting process and hold legislators accountable.

Sincerely,

/s/ Steven Lance

Leah Aden, Deputy Director of Litigation

Stuart Naifeh, Manager of the Redistricting Project

Raymond Audain

³ *Reynolds v. Sims*, 377 U.S. 533, 565–68 (1964); *id.* at 558 (quoting *Gray v. Sanders*, 372 U.S. 368, 381 (1963)) (“The conception of political equality from the Declaration of Independence, to Lincoln’s Gettysburg Address, to the Fifteenth, Seventeenth, and Nineteenth Amendments can mean only one thing—one person, one vote.”); see U.S. Const. amend. XIV, § 1 (“No State shall . . . deny to any person within its jurisdiction the equal protection of the laws.”).

⁴ *Shelby Cty., Ala. v. Holder*, 570 U.S. 529, 557 (2013); 52 U.S.C. § 10301(a) (“No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied . . . in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color . . .”).

⁵ See LDF, Mexican American Legal Defense and Educational Fund, and Asian Americans Advancing Justice | AAJC, *Power on the Line(s): Making Redistricting Work for Us*, (2021), <https://www.naacpldf.org/press-release/civil-rights-organizations-release-redistricting-guide-to-support-black-latino-and-aapi-communities-participation-in-crucial-process/>.

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cc: Rep. Patricia Moore Henegan
Chair, South Carolina Legislative Black Caucus

Rep. Ivory Thigpen
Chair-Elect, South Carolina Legislative Black Caucus

John Richard C. King
First Vice-Chairman

Christopher J. "Chris" Murphy
Chairman

Neal A. Collins
Second Vice-Chairman

Judiciary Committee

William H. Bailey
Justin T. Bamberg
Beth E. Bernstein
Bruce M. Bryant
Micajah P. "Micah" Caskey, IV
Neal A. Collins
Westley P. "West" Cox
Sylleste H. Davis
Jason Elliott
Russell W. Fry
Patricia Moore "Pat" Henegan
Max T. Hyde, Jr.
Jeffrey E. "Jeff" Johnson



House of Representatives
P.O. Box 11867
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Brandon M. Newton
William Weston J. Newton
Seth Rose
Ivory Torrey Thigpen
Elizabeth "Spencer" Wetmore
William W. "Will" Wheeler, III

Linda C. Anderson
Executive Assistant

Roland Franklin
Staff Counsel

Emma Dean
Chief Counsel

Jimmy Hinson
Staff Counsel

September 3, 2021

Delivered via email

Steven Lance
NAACP Legal Defense & Educational Fund, Inc.
40 Rector Street, 5th Fl.
New York, NY 10006

Dear Mr. Lance,

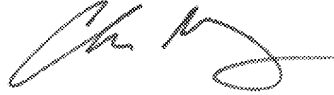
Thank you for your letter of August 9, 2021 (and your follow-up letter of August 30, 2021) and for the sincere interest you and your colleagues have shown in the important process of redistricting. I am writing you as the Chair of the House Judiciary Committee, the Committee which houses the Redistricting Ad Hoc Committee. We assure you that we are taking very seriously our responsibility to the citizens of South Carolina to adopt a constitutionally sound plan that protects and preserves their voting rights. Although the Redistricting Ad Hoc Committee has not adopted all of the procedures that you suggest in your letter of August 9, we very much appreciate your submissions for our continued consideration and we believe that the procedures the Committee is presently and will continue to follow offer meaningful opportunities for public participation well before any maps are considered by this Committee or presented to the House of Representatives for approval.

We continue to believe that the Guidelines are appropriate and are in full compliance with constitutional principles and both the letter and the spirit of federal and state law. In addition, the Guidelines themselves properly anticipate that concerns and priorities raised in public testimony to the Committee would be incorporated in any plans proposed for approval by the House.

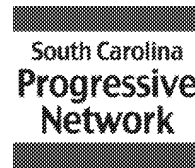
We further believe that the Committee's announced process for conducting its public hearings is designed to obtain meaningful and complete input from the public. Indeed, the timeline of activities the Committee will follow expressly allows for multiple opportunities for members of the public to provide testimony, input, and map proposals for consideration by the Committee before any map drawing takes place. As you know, the public hearings will begin on September 8, 2021, and the Redistricting Website is now capable of receiving plan submissions.

Once again, we thank you for your input, your comments and your concerns. We intend to continue taking all appropriate steps to insure that the redistricting process is fully transparent and is conducted in ways that maximize public input at all stages—and, again, we are committed to developing a plan that protects and preserves the voting rights of all South Carolinians. Please continue to monitor the House Redistricting Website, as we will continue to use that platform to notify the public about redistricting activities that will take place in South Carolina.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Murphy", with a stylized flourish at the end.

Christopher “Chris” Murphy, Chairman
House Judiciary Committee



September 27, 2021

Sent via email

Redistricting Ad Hoc Committee
Judiciary Committee
South Carolina House of Representatives
Columbia, South Carolina 29211
redistricting@schouse.gov

Re: Follow-up on Recommendations for Transparency, Public Involvement, and Fair Representation in South Carolina's Redistricting Process

Dear Chair Jordan and Committee Members:

The NAACP Legal Defense and Educational Fund, Inc. ("LDF"), American Civil Liberties Union ("ACLU"), ACLU of South Carolina, South Carolina State Conference of the NAACP, League of Women Voters of South Carolina, South Carolina Appleseed Legal Justice Center, and South Carolina Progressive Network Education Fund write to reiterate our grave concerns with this Committee's failure to provide transparency during the ongoing redistricting cycle.

On August 9, 2021, several of the present signatories wrote to this Committee, in part, to recommend ways to involve your constituents and organizations that serve them, during *all* stages of the redistricting process.¹ Three weeks later, on August 30, 2021, we wrote to reiterate our concerns because this Committee had failed to make any effort to provide transparency around its redistricting process.² Because of those shortcomings, we also posed additional questions. Among them, we asked when this Committee intends to

¹ Letter from LDF, et al., to the S.C. House of Representative Judiciary Committee's Redistricting Ad Hoc Committee (Aug. 9, 2021), https://www.naacpldf.org/wp-content/uploads/Letter-to-SC-House-Redistricting-Ad-Hoc-Committee_08.09.2021_final.pdf.

² Letter from LDF, et al., to the S.C. House Judiciary Committee's Redistricting Ad Hoc Committee (Aug. 30, 2021), <https://www.naacpldf.org/wp-content/uploads/Follow-Up-Letter-to-SC-House-Redistricting-Ad-Hoc-Committee-8-30-21.pdf>.

share its proposed maps with the public and how it intends to provide the public with opportunities to testify and provide public comments on maps proposed by this Committee or others, emphasizing that the public must have an opportunity to respond to proposed maps *before* any such maps are finalized or approved.

Representative Chris Murphy, who chairs the House Judiciary Committee, responded on behalf of this Committee on September 3, 2021.³ However, the Chair's response did not answer either of these questions, which are foundational to ensuring a fair and transparent process during the present redistricting cycle.⁴ Nor has this Committee meaningfully addressed the remaining concerns and recommendations that we have shared.⁵ Because of these shortcomings, along with the public statements described below, we write to request more information about how this Committee plans to proceed during the redistricting cycle that is underway. Specifically, we request responses to the following questions:

1. When does the House intend to return to session to consider redistricting plans?⁶
2. As we inquired in our August 30 letter, when does this Committee intend to share proposed maps with the public?
3. By what deadline does this Committee desire to receive proposed maps from members of the public, does this Committee have a preferred

³ Letter from Rep. Chris Murphy, Chairman, House Judiciary Committee, S.C. House of Representatives, to LDF, et al. (Sept. 3, 2021) (on file with signatories).

⁴ *Id.*

⁵ We appreciate this Committee's decision to add a second opportunity to testify remotely during the public hearing on September 28, in addition to the previously announced opportunity on October 4. However, as we indicated in our initial letter, there is no reason not to have allowed remote participation in all nine of the hearings held to date, particularly considering current levels of COVID-19 transmission in South Carolina. *See Public Hearing Schedule*, S. C. House of Representatives, <https://redistricting.schouse.gov/publichearing.html>.

⁶ Public reporting indicates that the House could reconvene for a special session in December 2021. Seanna Adcox, *SC House Unlikely to Return Until December, and then Only for Redistricting*, The Post and Courier (Sept. 22, 2021), https://www.postandcourier.com/columbia/sc-house-unlikely-to-return-until-december-and-then-only-for-redistricting/article_142b89f0-1bbf-11ec-a986-07909036ac92.html; *but see* Speaker Jay Lucas (@schousespeaker), Twitter (Sept. 22, 2021), <https://twitter.com/schousespeaker/status/1440743475549401088?s=20> (stating "the House has no plans to reconvene for a special session."). If the House does not reconvene for a special session, the next opportunity for it to consider any redistricting maps would be during the regular session, which is scheduled to begin on January 11, 2022. *See* S.C. Const., art. III, § 9 ("The annual session of the General Assembly shall convene at the State Capitol Building in the City of Columbia on the second Tuesday of January of each year.").

format for the submitted files, and during what timeframe does this Committee intend to consider such maps?

4. As we inquired in our August 30 letter, does this Committee intend to hold public hearings in which testimony and public comment can be provided on maps proposed by this Committee and maps proposed by members of the public, *before* such maps are finalized or approved by the Committee?
5. What is the House's timeline for considering and approving redistricting plans?
6. What steps, if any, has the House taken to ensure that its timeline for considering and approving maps will be sufficient to allow any litigation that may be filed to be fully resolved before the March 16, 2022, candidate filing deadline for the 2022 partisan primaries?

If history is a guide, if the House does not reconvene to consider and approve redistricting plans until December 2021 or January 2022, that unnecessary delay will likely prevent a court from ruling on the constitutionality of your maps before the candidate filing deadline in March. This Committee is no doubt aware that a redistricting process that leaves insufficient time for judicial review puts the court and the public in the impossible position of leaving an unconstitutional plan in place or striking the plan down close to an election, which could breed voter “confusion and consequent incentive to remain away from the polls.” *Purcell v. Gonzalez*, 549 U.S. 1, 4 (2006). In the 2010 redistricting cycle, for example, the South Carolina federal court took nearly four months to adjudicate constitutional claims related to redistricting. *Backus v. South Carolina*, 857 F. Supp. 2d 553 (D.S.C.), *aff'd*, 568 U.S. 801 (2012). Similarly, during the 2000 redistricting cycle, the South Carolina federal court needed six months to draw a new plan after this body failed to draw maps with roughly equal population, violating the principle of one-person-one-vote. *Colleton Cty. Council v. McConnell*, 201 F. Supp. 2d 618 (D.S.C. 2002).

As we explained in our August 9 and 30 letters, it is critical to involve your constituents and other community members, as well as to ensure transparency during *all* stages of the redistricting process. Equally important, as we further explained in our letters, transparency and robust public input are also necessary to assist this Committee with its affirmative obligations to comply with the U.S. Constitution, Section 2 of the Voting Rights Act, and other legal considerations and redistricting principles. Answers from the Committee's to the basic questions above will be an important step toward meeting these obligations. Further, based on the law, South Carolina's recent history, and the House Redistricting Guidelines—which appropriately prioritize constitutional compliance—the House should revisit its process immediately and ensure ample time for meaningful consideration and analysis, for the public to digest its maps,

and for courts to adjudicate any constitutional claims well in advance of the 2022 election cycle.

Unfortunately, the lack of information that this Committee has provided thus far suggests an unwillingness on your part to engage your constituents and the public in a fair, transparent, and participatory redistricting process. We therefore call on this Committee to immediately take steps to remedy these shortcomings. We request your response in writing ***by 5:00 p.m. on Wednesday, September 29, 2021.***

* * *

Please feel free to contact John Cusick at jcusick@naacpldf.org with any questions or to discuss these issues in more detail. We look forward to hearing from you soon and working together for the people of South Carolina.

Sincerely,

/s/ John S. Cusick

Steven Lance

Leah Aden, Deputy Director of Litigation

Stuart Naifeh, Manager of the Redistricting Project

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Brett Bursey, Executive Director
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cc: Rep. James H. “Jay” Lucas,
Speaker, South Carolina House of Representatives

Rep. Thomas E. “Tommy” Pope
Speaker Pro Tempore, South Carolina House of
Representatives

Rep. J. Gary Simrill
Majority Leader, South Carolina House of
Representatives

Rep. J. Todd Rutherford
Minority Leader, South Carolina House of
Representatives

Rep. Chris Murphy
Chair, South Carolina House Judiciary Committee

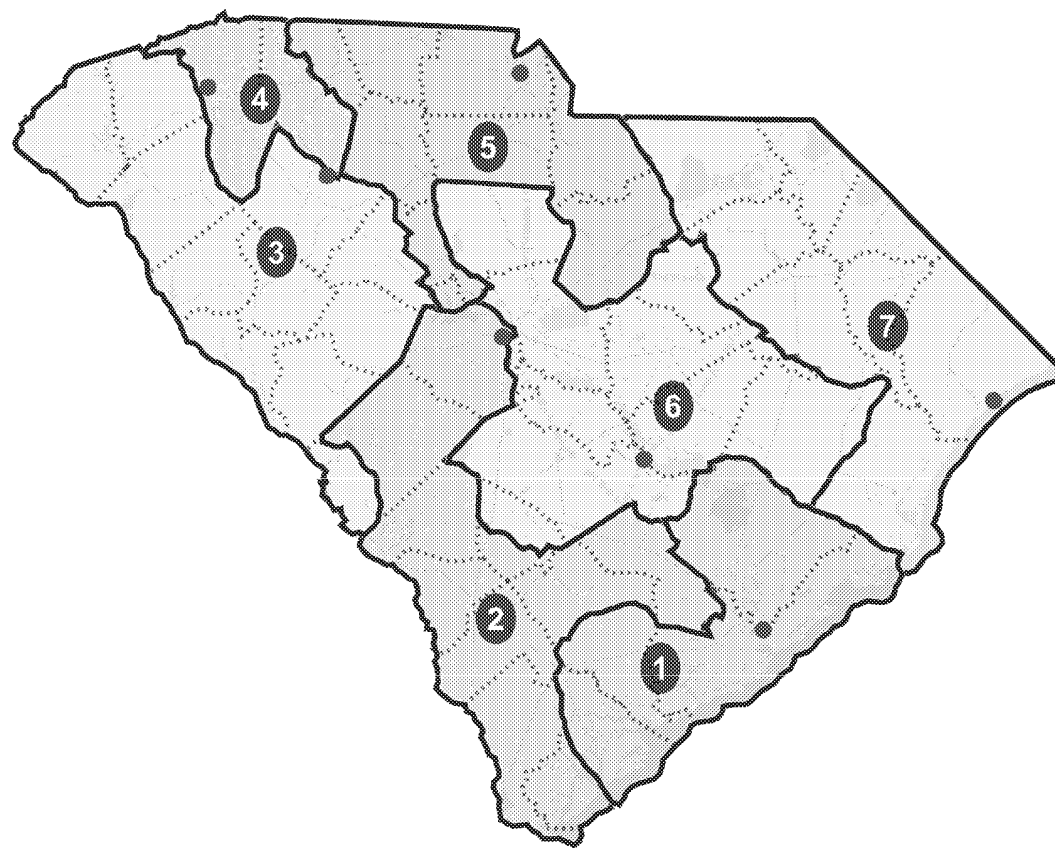
Rep. Patricia Moore Henegan
Chair, South Carolina Legislative Black Caucus

Rep. Ivory Thigpen
Chair-Elect, South Carolina Legislative Black Caucus

APPENDIX 2



District	1	2	3	4	5	6	7
Population20	731203	731203	731204	731204	731203	731205	731203
Deviation	-1	-1	0	0	-1	1	-1
% Deviation	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
% APB_VAP20	34.9%	20.5%	16.0%	17.2%	24.4%	52.8%	11.7%
% bcvap	37.4%	21.7%	16.9%	18.0%	25.5%	53.7%	13.9%
% lcvap	3.0%	2.5%	2.6%	3.3%	2.4%	2.5%	3.2%
% wcvap	57.1%	73.9%	78.5%	76.0%	69.9%	41.4%	80.6%
% acvap	1.5%	1.0%	1.2%	1.7%	1.0%	1.3%	1.4%
% BLAPOP_D20	35.2%	21.1%	16.7%	17.6%	25.1%	53.2%	12.1%
% LATPOP_D20	7.9%	6.8%	6.3%	9.5%	5.5%	4.6%	7.6%
% WHIPOP_D20	51.2%	67.0%	72.0%	67.4%	63.8%	37.8%	75.4%
% ASIPOP_D20	2.2%	2.1%	2.1%	2.6%	2.3%	1.9%	2.1%
% BLAVAP_D20	34.0%	19.9%	15.6%	16.6%	23.8%	51.6%	11.2%
% LATVAP_D20	6.7%	5.6%	5.3%	8.0%	4.5%	4.0%	6.2%
% WHIVAP_D20	54.0%	69.8%	74.4%	70.2%	66.7%	40.2%	78.1%
% ASIVAP_D20	2.1%	2.0%	2.0%	2.5%	2.0%	1.9%	1.9%
APB_POP20	266270	160253	126830	134325	190036	399549	93265
APB_VAP20	196563	117581	91706	97358	138670	302640	70138
tcvap	538275.1	547211.7	536936.8	508985.9	535412.2	568676.2	549607
lcva	15313.68	13462.7	14150.35	16709.08	12749.62	14345.97	17606.51
wcvap	307501.7	404258.8	421576.7	387062.5	373996.3	235215.2	443059.2
bcvap	201406.9	118742.8	90534.05	91636.09	136452.6	305302.5	76550.74
acvap	7854.58	5722.151	6183.755	8617.553	5384	7536.084	7760.895
aocvap	6128.861	5011.91	4469.267	4940.619	6807.528	6286.739	4588.92
% aocvap	0.011386	0.009159	0.008324	0.009707	0.012715	0.011055	0.008349
LATPOP_D20	58103	50085	46023	69746	40221	33431	55229
WHIPOP_D20	374724	489931	526163	493048	466751	276541	551394
BLAPOP_D20	257726	154183	121953	128743	183626	389191	88465
ASIPOP_D20	16035	15527	15036	18805	16481	14171	15645
VAP20	562919	573132	571410	566795	567439	573426	599339
LATVAP_D20	37708	32329	30010	45429	25799	22759	37090
WHIVAP_D20	304098	399830	425016	398055	378256	230669	468051
BLAVAP_D20	191527	113931	88955	94172	135140	295992	67335
ASIVAP_D20	11909	11370	11224	13888	11404	10818	11579

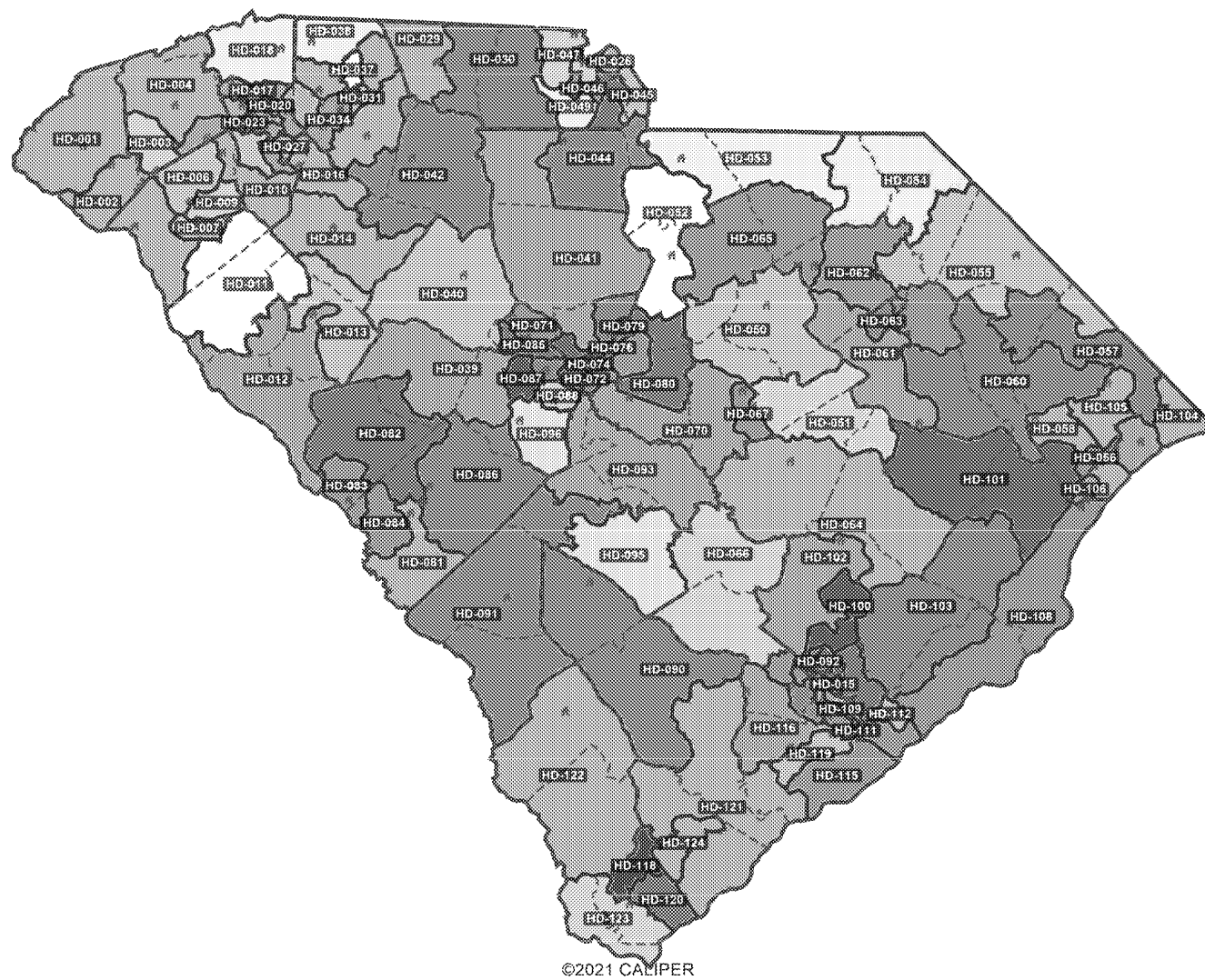


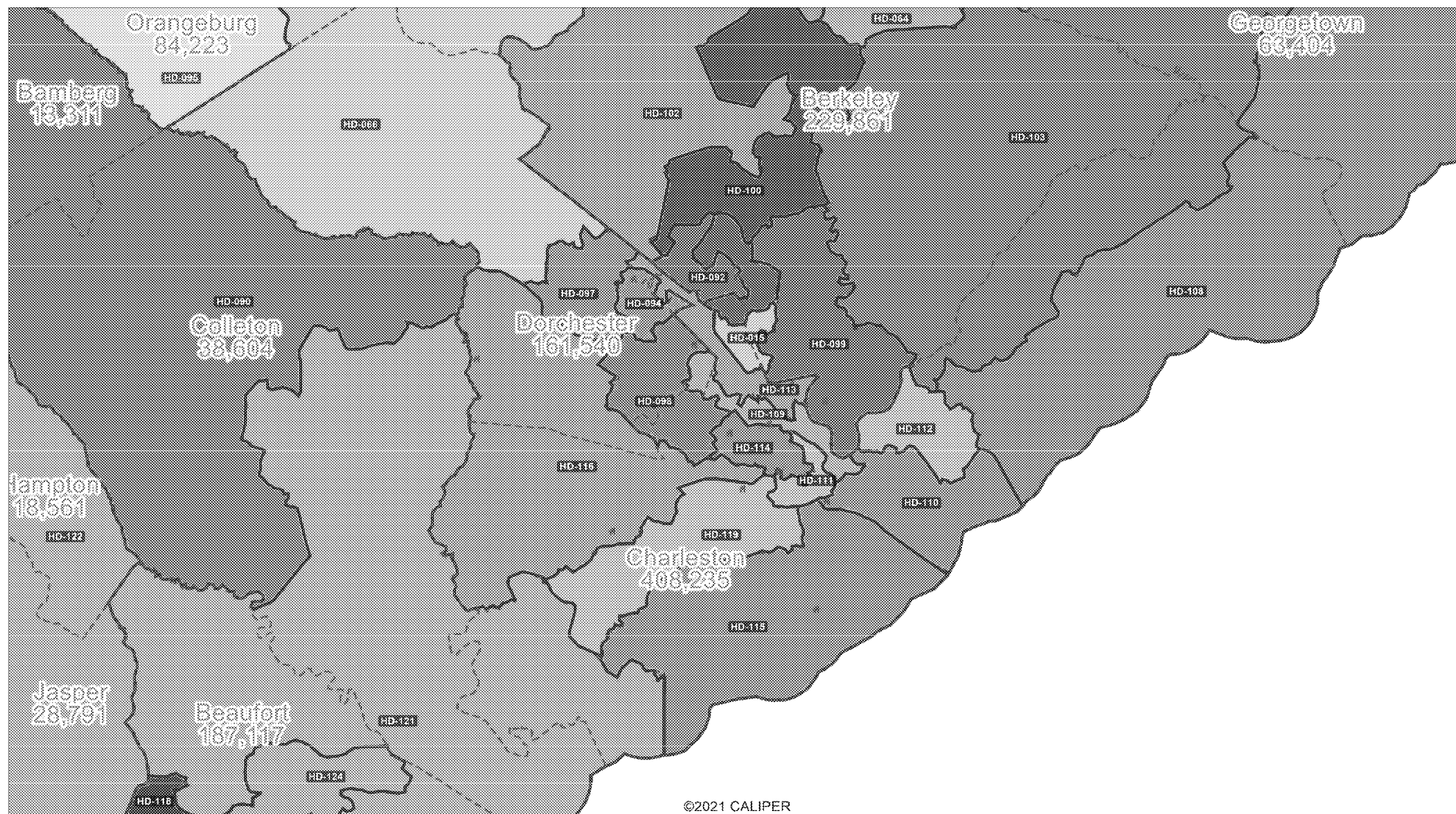
District	Population	Deviation	% Deviation	Polsby Popper	Reock	18+_Pop	% 18+_Pop	NH18+_Wht	% NH18+_Wht	18+_AP_Bl
1	731205	1	0.000001	0.296004	0.44595	574926	0.786272	371406	0.646007	138152
2	731201	-3	-0.000004	0.16561	0.30176	570260	0.779895	392178	0.687718	115197
3	731203	-1	-0.000001	0.222547	0.33972	578927	0.791746	426435	0.736595	104063
4	731205	1	0.000001	0.231452	0.45799	562354	0.769078	380527	0.676668	104126
5	731204	0	0	0.227201	0.37306	561732	0.768229	395334	0.703777	113207
6	731204	0	0	0.241432	0.42172	577441	0.789713	242628	0.420178	290617
7	731203	-1	-0.000001	0.32424	0.35113	588820	0.805276	395467	0.671626	149294

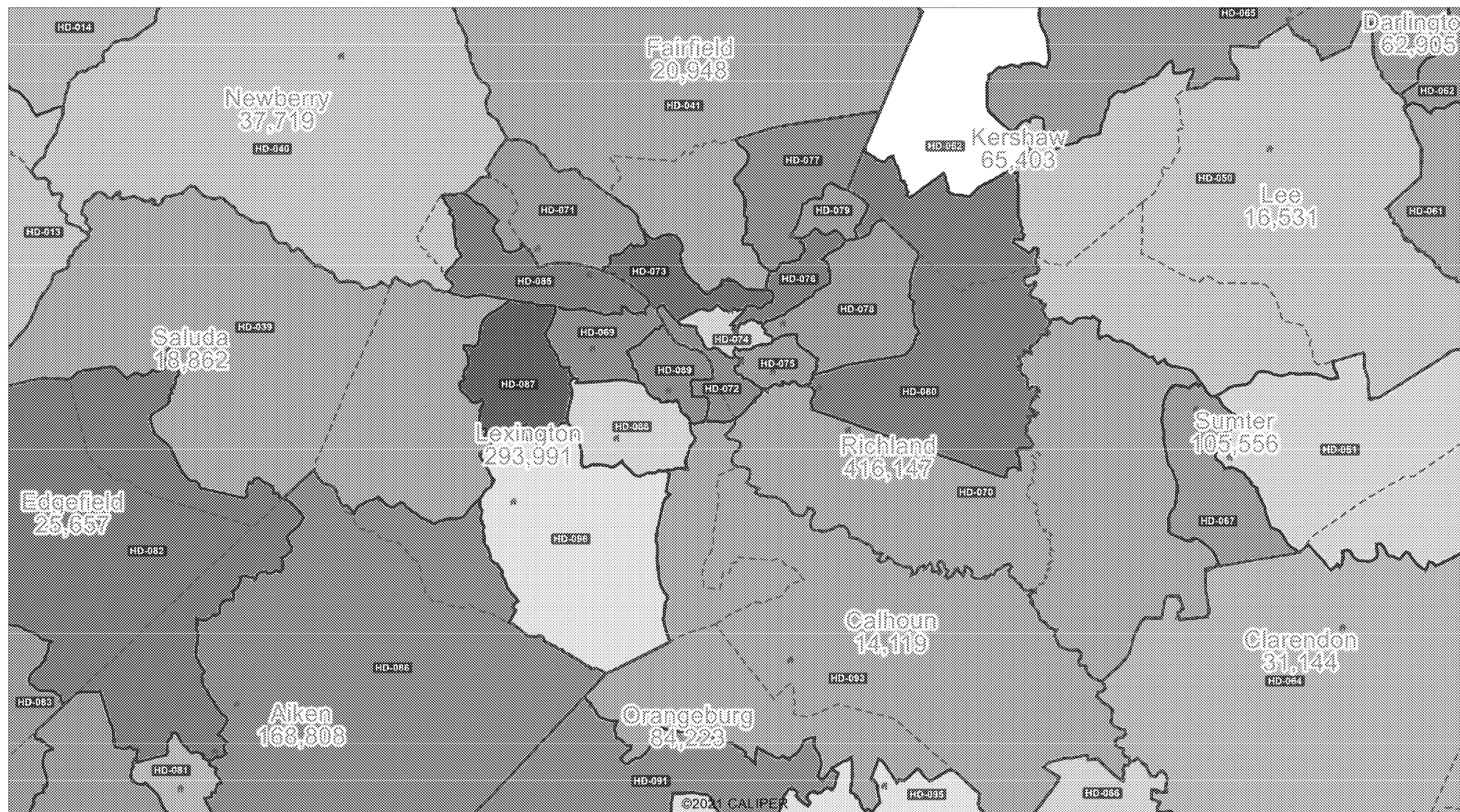
District	% 18+_AP_Bl	NH_Wht	% NH_Wht	AP_Bl	% AP_Bl	AP_Asn	% AP_Asn	18+_AP_Asn	% 18+_AP_Asn	Hispanic Origin
1	0.240295	452572	0.61894	186039	0.254428	21309	0.029142	15547	0.027042	57615
2	0.202008	479156	0.6553	159397	0.217993	17781	0.024318	12331	0.021623	60057
3	0.179752	521234	0.712844	140534	0.192196	11168	0.015273	8395	0.014501	42695
4	0.185161	473372	0.647386	144454	0.197556	23276	0.031832	16582	0.029487	76974
5	0.201532	496511	0.679032	155846	0.213136	20063	0.027438	13546	0.024115	43441
6	0.503284	288548	0.39462	382735	0.523431	18843	0.02577	14241	0.024662	35835
7	0.253548	467159	0.638891	201523	0.275605	11226	0.015353	8190	0.013909	36221

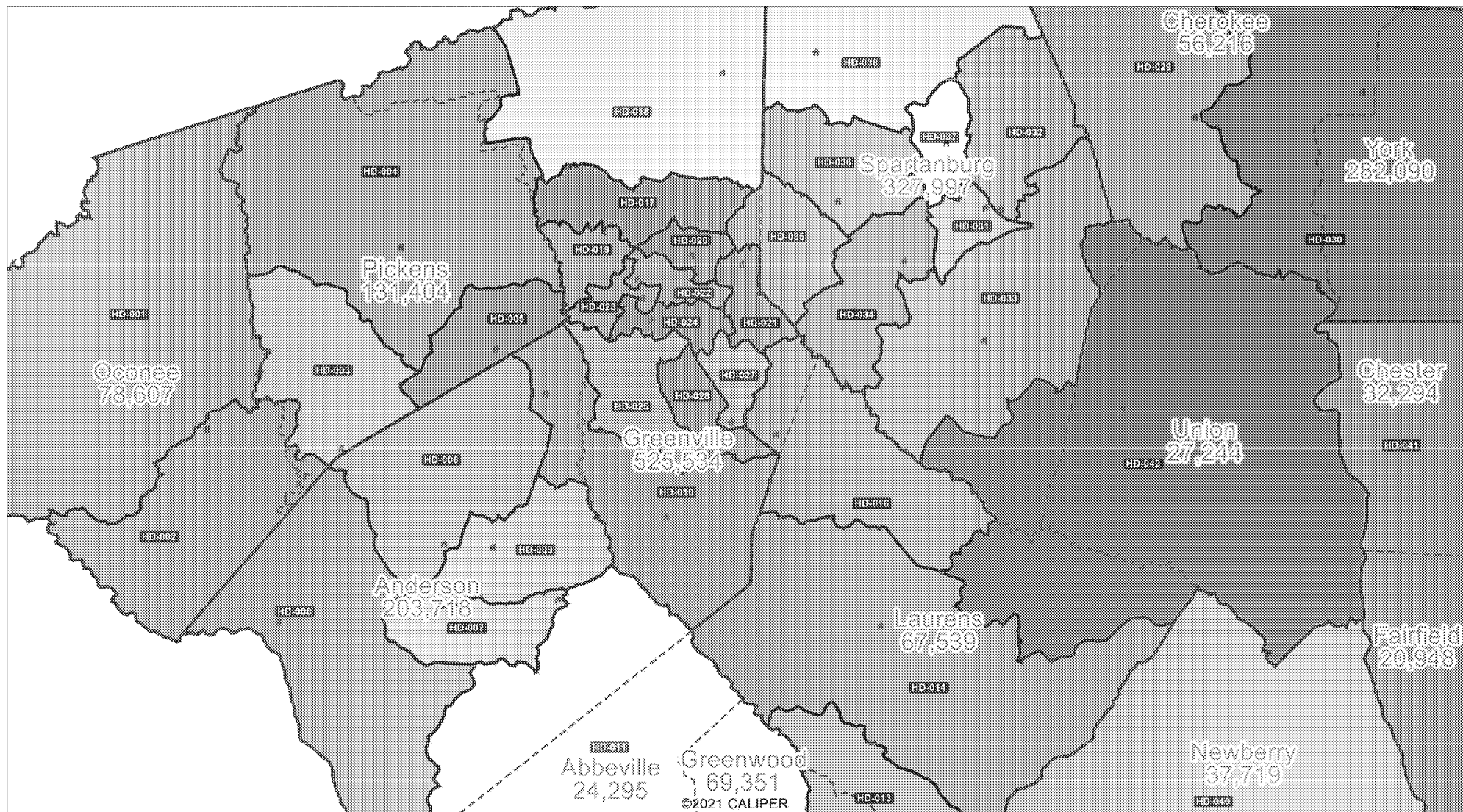
District	% Hispanic Origin	H18+_Pop	% H18+_Pop
1	0.078795	38529	0.067016
2	0.082135	38660	0.067794
3	0.05839	27402	0.047332
4	0.10527	50365	0.089561
5	0.05941	27830	0.049543
6	0.049008	24667	0.042718
7	0.049536	23671	0.040201

APPENDIX 3









District	Population	Deviation	% Deviation	Polsby Popper	Reock	18+_Pop	% 18+_Pop	NH18+_Wht	% NH18+_Wht	18+_AP_Blk	% 18+_AP_Blk	NH_Wht	% NH_Wht	AP_Blk	% AP_Blk	AP_Asn	% AP_Asn	18+_AP_Asn	% 18+_AP_Asn	Hispanic Origin	% Hispanic Origin	H18+_Pop	% H18+_Pop
HD-001	42191	913	0.022118	0.328742	0.4852	34230	0.81131	30297	0.885101	926	0.027052	36400	0.862743	1442	0.03418	310	0.007348	214	0.006252	2792	0.066175	1780	0.052001
HD-002	42003	725	0.017564	0.362203	0.47727	34708	0.826322	27710	0.798375	4174	0.12026	32673	0.777873	5616	0.13371	861	0.020499	710	0.020456	1865	0.044402	1273	0.036677
HD-003	42282	1004	0.024323	0.401967	0.54032	35651	0.843172	28418	0.797116	2820	0.0791	33314	0.7879	3573	0.0845	2474	0.058512	2113	0.059269	1950	0.046119	1522	0.042692
HD-004	42277	999	0.024202	0.329808	0.6102	33696	0.797029	30231	0.897169	1232	0.036562	37382	0.884216	1732	0.04097	272	0.006434	186	0.00552	1361	0.032192	838	0.024869
HD-005	42241	963	0.02333	0.439896	0.34955	33194	0.785824	26912	0.810749	3179	0.09577	33092	0.783409	4550	0.10772	534	0.012642	385	0.011598	3006	0.071163	1858	0.055974
HD-006	42301	1023	0.024783	0.593109	0.52746	32633	0.771447	26800	0.821255	3294	0.100941	33873	0.800761	4671	0.11042	926	0.021891	655	0.020072	1740	0.041134	1073	0.032881
HD-007	40826	-452	-0.01095	0.393355	0.37074	31239	0.765174	17028	0.545088	11725	0.375332	20849	0.510679	16352	0.40053	283	0.006932	207	0.006626	2654	0.065008	1684	0.053907
HD-008	41010	-268	-0.006493	0.371167	0.34475	32904	0.802341	27557	0.837497	3417	0.103848	33606	0.819459	4790	0.11168	466	0.011363	358	0.01088	1153	0.028115	752	0.022854
HD-009	40906	-372	-0.009012	0.483603	0.5022	31774	0.776756	25801	0.812016	3225	0.101498	32321	0.790129	4593	0.11228	743	0.018164	505	0.015893	2477	0.060553	1664	0.05237
HD-010	42293	1015	0.024589	0.291113	0.3565	32334	0.764524	26662	0.824581	2543	0.078648	33975	0.803324	3795	0.08973	937	0.022155	660	0.020412	2452	0.057976	1552	0.047999
HD-011	42213	935	0.022651	0.397537	0.63795	33242	0.787483	26202	0.78822	5669	0.170537	32885	0.779025	7375	0.17471	248	0.005875	156	0.004693	844	0.019994	510	0.015342
HD-012	40257	-1021	-0.024735	0.193762	0.32406	31788	0.789627	13998	0.440355	15215	0.47864	16367	0.406563	19966	0.49596	295	0.007328	215	0.006764	3253	0.080806	2036	0.064049
HD-013	42198	920	0.022288	0.218281	0.39711	34065	0.807266	26140	0.767357	5765	0.169235	31303	0.741812	7789	0.18458	741	0.01756	523	0.015353	1622	0.038438	1062	0.031176
HD-014	41313	35	0.000848	0.339153	0.38751	32009	0.774792	20837	0.650973	8842	0.276235	25852	0.625759	11980	0.28998	321	0.00777	252	0.007873	2489	0.060247	1534	0.047924
HD-015	40389	-889	-0.021537	0.273978	0.40643	30984	0.76714	13649	0.440518	9115	0.294184	16015	0.396519	12722	0.31499	2195	0.054346	1766	0.056997	8539	0.211419	5647	0.182255
HD-016	42305	1027	0.02488	0.312652	0.40246	31157	0.736485	21310	0.683955	5873	0.188497	28025	0.662451	8339	0.19712	1148	0.027136	762	0.024457	3876	0.09162	2502	0.080303
HD-017	42288	1010	0.024468	0.237511	0.29142	33104	0.782823	27196	0.821532	2721	0.082196	33662	0.796018	3965	0.09376	860	0.020337	588	0.017762	2741	0.064817	1803	0.054465
HD-018	42237	959	0.023233	0.418875	0.56188	33547	0.794256	29672	0.88449	1203	0.03586	36731	0.86964	1734	0.04105	407	0.009636	290	0.008645	2096	0.049625	1403	0.041822
HD-019	41817	539	0.013058	0.25207	0.48655	32297	0.772341	19293	0.597362	5026	0.155618	22540	0.539015	7166	0.17137	742	0.017744	578	0.017896	10835	0.259105	6890	0.213333
HD-020	42277	999	0.024202	0.38739	0.419	32141	0.760248	23549	0.732678	3393	0.105566	29653	0.701398	4927	0.11654	2086	0.049341	1469	0.045705	4820	0.11401	3117	0.096979
HD-021	42279	1001	0.02425	0.312849	0.46458	31919	0.754961	24821	0.777625	2101	0.065823	31992	0.756688	2922	0.06911	3612	0.085432	2494	0.078135	2482	0.066889	1873	0.05868
HD-022	42306	1028	0.024904	0.207601	0.29941	34677	0.819671	24959	0.719757	4363	0.125818	29573	0.699026	5656	0.13369	2083	0.049237	1606	0.046313	4196	0.099182	3118	0.089916
HD-023	40290	-988	-0.023935	0.169513	0.35162	30993	0.769248	12737	0.410964	12865	0.415094	14748	0.366046	17322	0.42993	470	0.011665	350	0.011293	7422	0.184214	4756	0.153454
HD-024	42231	953	0.023087	0.202529	0.29398	33878	0.802207	26026	0.768227	3927	0.115916	31561	0.747342	5407	0.12803	1699	0.040231	1282	0.037842	2899	0.068646	2087	0.061603
HD-025	40267	-1011	-0.024492	0.261539	0.3303	30217	0.750416	10402	0.344243	15342	0.507727	12637	0.31383	20641	0.5126	527	0.013088	384	0.012708	6007	0.149179	3703	0.122547
HD-026	42190	912	0.022094	0.438592	0.55799	30517	0.723323	21841	0.715699	3409	0.111708	28948	0.686134	5103	0.12095	3582	0.084902	2305	0.075532	3786	0.089737	2384	0.07812
HD-027	42304	1026	0.024856	0.382174	0.46148	32551	0.769454	23382	0.718319	5062	0.15551	29328	0.693268	7107	0.168	1491	0.035245	1007	0.030936	3487	0.082427	2381	0.073147
HD-028	42307	1029	0.024929	0.332551	0.31898	32055	0.757676	20506	0.639713	7155	0.22321	26105	0.617037	10056	0.23769	1172	0.027702	823	0.025675	4333	0.102418	2990	0.093277
HD-029	42300	1022	0.024759	0.426819	0.47642	32732	0.773806	22314	0.681718	8046	0.245814	27757	0.656194	10994	0.25991	377	0.008913	281	0.008585	2380	0.056265	1478	0.045155
HD-030	42282	1004	0.024323	0.370183	0.50242	32640	0.77196	27173	0.832506	3209	0.098315	34406	0.813727	4573	0.10816	364	0.008609	253	0.007751	1695	0.040088	1039	0.031832
HD-031	40279	-999	-0.024202	0.364287	0.41078	30799	0.764642	11288	0.366505	16214	0.526446	13265	0.329928	22404	0.55622	1190	0.029544	893	0.028994	3191	0.079222	2138	0.069418
HD-032	42283	1005	0.024347	0.510361	0.51494	33312	0.784834	24879	0.746848	5250	0.157601	30542	0.722323	7180	0.16981	1148	0.02715	800	0.024015	2646	0.062578	1736	0.052113
HD-033	42132	854	0.020689	0.277695	0.3763	32972	0.782588	25534	0.774415	4816	0.146063	31545	0.748718	6807	0.16156	996	0.02364	715	0.021685	2035	0.048301	1314	0.039852
HD-034	42222	944	0.022869	0.308925	0.41026	32287	0.764696	22627	0.700808	5462	0.16917	28637	0.678248	7697	0.1823	1838	0.043532	1414	0.043795	3302	0.078206	2114	0.065475
HD-035	42298	1020	0.02471	0.401148	0.4713	31830	0.752518	20603	0.647282	5329	0.167421	25949	0.613481	7599	0.17965	1365	0.032271	909	0.028558	6645	0.1571	4330	0.136035
HD-036	42307	1029	0.024929	0.466271	0.51628	31840	0.752594	22752	0.714573	5280	0.165829	29261	0.691635	7344	0.17359	1226	0.028979	834	0.026193	3571	0.084407	2235	0.070195
HD-037	42304	1026	0.024856	0.37847	0.41836	32184	0.760779	19428	0.603654	6572	0.204201	24418	0.577203	8768	0.20726	1997	0.047206	1473	0.045768	6530	0.154359	4203	0.130593
HD-038	42252	974	0.023596	0.46352	0.42075	32646	0.77265	27361	0.838112	2670	0.081786	34800	0.82363	3644	0.08624	843	0.019952	574	0.017583	2059	0.048731	1253	0.038381
HD-039	40479	-799	-0.019357	0.309473	0.43026	31403	0.775785	23980	0.763621	4078	0.12986	29472	0.728081	5641	0.13936	269	0.006645	177	0.005636	4315	0.106598	2563	0.081616
HD-040	40349	-929	-0.022506	0.435514	0.57846	31774	0.787479	20733	0.652515	8281	0.260622	25001	0.619619	11137	0.27602	296	0.007336	190	0.00598	3384	0.083868	2130	0.067036
HD-041	40260	-1018	-0.024662	0.360315	0.38545	32947	0.818356	14379	0.436428	17088	0.518651	16841	0.418306	21481	0.53356	307	0.007625	234	0.007102	1200	0.029806	864	0.026224
HD-042	41930	652	0.015795	0.326052	0.62963	33292	0.79399	22859	0.686621	9096	0.273219	27978	0.667255	12088	0.28829	275	0.006559	183	0.005497	993	0.023682	642	0.019284
HD-043	42259	981	0.023766	0.321896	0.41645	31178	0.737784	21993	0.705401	5306	0.170184	28672	0.678483	7701	0.18223	1600	0.037862	1058	0.033934	2791	0.066045	1833	0.058791
HD-044	40869	-409	-0.009908	0.390042	0.52775	31076	0.760381	16762	0.539387	12307	0.396029	20468	0.50082	17259	0.4223	342	0.008368	244	0.007852	2069	0.050625	1238	0.039838
HD-045	42301	1023	0.024783	0.282089	0.28297	32630	0.771377	25205	0.772449	2977	0.091235	31547	0.745774	4279	0.10116	1984	0.046902	1362	0.041741	329			

District	Population	Deviation	% Deviation	Polsby Popper	Reock	18+_Pop	% 18+_Pop	NH18+_Wht	% NH18+_Wht	18+_AP_Blk	% 18+_AP_Blk	NH_Wht	% NH_Wht	AP_Blk	% AP_Blk	AP_Asn	% AP_Asn	18+_AP_Asn	% 18+_AP_Asn	Hispanic Origin	% Hispanic Origin	H18+_Pop	% H18+_Pop
HD-059	41930	652	0.015795	0.366477	0.56082	32475	0.774505	13598	0.418722	17405	0.535951	16254	0.387646	23660	0.56427	435	0.010374	335	0.010316	1168	0.027856	781	0.024049
HD-060	42258	980	0.023741	0.185652	0.41863	32856	0.77751	23830	0.725286	7238	0.220295	29933	0.708339	9582	0.22675	244	0.005774	174	0.005296	1701	0.040253	1058	0.032201
HD-061	41869	591	0.014318	0.217229	0.2851	32039	0.76522	15198	0.474359	15534	0.484847	18926	0.452029	21077	0.5034	260	0.00621	185	0.005774	1145	0.027347	757	0.023627
HD-062	42302	1024	0.024807	0.231318	0.48077	32716	0.773391	14591	0.44599	17058	0.521396	17677	0.417876	22977	0.54317	244	0.005768	162	0.004952	983	0.023238	559	0.017086
HD-063	42015	737	0.017855	0.429385	0.524	32619	0.77636	22153	0.679144	7561	0.231797	27434	0.652957	10417	0.24794	2042	0.048602	1448	0.044391	1573	0.037439	1007	0.030872
HD-064	40288	-990	-0.023984	0.288208	0.4156	32524	0.807288	15037	0.462336	16027	0.492775	18012	0.447081	20376	0.50576	404	0.010028	298	0.009162	1096	0.027204	810	0.024905
HD-065	40627	-651	-0.015771	0.3004	0.47127	32029	0.788367	23883	0.745668	5935	0.185301	29616	0.728973	7904	0.19455	372	0.009156	252	0.007868	2008	0.049425	1342	0.0419
HD-066	40271	-1007	-0.024396	0.262315	0.53425	32264	0.801172	14437	0.447465	16297	0.505114	17442	0.433116	20686	0.51367	349	0.008666	246	0.007625	914	0.022696	586	0.018163
HD-067	40289	-989	-0.023959	0.405528	0.37254	31345	0.778004	19591	0.625012	9368	0.298867	24281	0.602671	12682	0.31478	1210	0.030033	869	0.027724	1515	0.037603	1003	0.031999
HD-068	42212	934	0.022627	0.465613	0.57227	35265	0.835426	26921	0.763391	2887	0.081866	30237	0.716313	4205	0.09962	1132	0.026817	845	0.023961	5428	0.128589	3585	0.101659
HD-069	40260	-1018	-0.024662	0.458727	0.52568	30234	0.750969	22332	0.738639	3901	0.129027	28777	0.714779	5669	0.14081	2708	0.067263	1818	0.060131	2366	0.058768	1628	0.053847
HD-070	40271	-1007	-0.024396	0.206512	0.37582	31041	0.770803	11509	0.370768	17058	0.549531	14280	0.354598	22578	0.56065	1058	0.026272	823	0.026513	2013	0.049986	1352	0.043555
HD-071	40703	-575	-0.01393	0.525449	0.48025	30339	0.745375	22447	0.739873	5083	0.16754	29166	0.716557	7282	0.17891	1730	0.042503	1130	0.037246	1692	0.041569	1081	0.035631
HD-072	40335	-943	-0.022845	0.214663	0.25528	35606	0.882757	20788	0.583834	10779	0.30273	21909	0.543176	13785	0.34176	2462	0.061039	2181	0.061254	1896	0.047006	1554	0.043644
HD-073	40300	-978	-0.023693	0.25172	0.25277	32352	0.802779	10147	0.313644	20113	0.621693	11554	0.2867	25921	0.6432	852	0.021141	621	0.019195	1786	0.044318	1269	0.039225
HD-074	40285	-993	-0.024056	0.249987	0.33415	33484	0.831178	13918	0.415661	17503	0.522727	15480	0.384622	22597	0.55348	867	0.021522	735	0.021951	1452	0.036043	1103	0.032941
HD-075	40392	-886	-0.021464	0.404088	0.51081	32294	0.799515	22415	0.694092	6259	0.193813	27481	0.680357	8152	0.20182	1345	0.033299	1032	0.031956	3043	0.075337	2240	0.069363
HD-076	40351	-927	-0.022457	0.251036	0.23224	30989	0.767986	9972	0.321792	17480	0.564071	11810	0.292682	23735	0.58821	1672	0.041436	1255	0.040498	3046	0.075488	2115	0.06825
HD-077	40330	-948	-0.022966	0.446786	0.4096	29767	0.738086	10775	0.361978	16374	0.550072	13707	0.339871	22866	0.56697	1403	0.034788	967	0.032486	2421	0.060003	1563	0.052508
HD-078	40497	-781	-0.01892	0.525885	0.56508	31380	0.774872	14455	0.460644	11128	0.354621	17236	0.425612	15235	0.3762	2296	0.056696	1739	0.055417	5581	0.137813	3838	0.122307
HD-079	40340	-938	-0.022724	0.472541	0.49167	29509	0.731507	9048	0.306618	17559	0.595039	11341	0.281135	24854	0.61611	1690	0.041894	1157	0.039208	2548	0.063163	1627	0.055136
HD-080	40279	-999	-0.024202	0.232719	0.41971	30947	0.768316	14398	0.465247	14128	0.456522	17552	0.435761	19180	0.47618	663	0.01646	452	0.014606	2447	0.060751	1553	0.050183
HD-081	40263	-1015	-0.024589	0.217126	0.43461	33034	0.820456	25008	0.757038	5539	0.167676	29279	0.727194	7630	0.1895	875	0.021732	633	0.019162	1663	0.041303	1171	0.035448
HD-082	40254	-1024	-0.024807	0.272618	0.54182	31521	0.783053	13101	0.415628	15839	0.50249	16009	0.3977	20614	0.5121	407	0.010111	2792	0.008851	2792	0.068117	1915	0.060753
HD-083	40265	-1013	-0.024541	0.400219	0.44622	31776	0.789172	22837	0.718687	5905	0.185832	27949	0.694126	8099	0.20114	858	0.021309	622	0.019575	2549	0.063306	1728	0.054381
HD-084	40257	-1021	-0.024735	0.359535	0.50482	30856	0.766475	20548	0.665932	6934	0.224721	25675	0.637777	9461	0.23502	534	0.013265	360	0.011667	3665	0.09104	2207	0.071526
HD-085	40288	-990	-0.023984	0.303613	0.23262	32146	0.797905	24370	0.758104	4969	0.154576	29931	0.729522	7028	0.17444	1347	0.033434	1001	0.031139	1738	0.043139	1181	0.036739
HD-086	40309	-969	-0.023475	0.439937	0.63948	31776	0.788831	22538	0.709277	6155	0.1937	27459	0.681213	8371	0.20767	451	0.011189	281	0.008843	3079	0.076385	2021	0.063601
HD-087	40265	-1013	-0.024541	0.473074	0.61754	29443	0.731231	23867	0.810617	2679	0.090989	31818	0.790215	4070	0.10108	1344	0.033379	885	0.030058	2084	0.051757	1337	0.04541
HD-088	40394	-884	-0.021416	0.614978	0.53382	31143	0.770981	23018	0.739107	4706	0.151109	28527	0.706219	6910	0.17107	878	0.021736	607	0.019491	2986	0.073922	1889	0.060656
HD-089	40343	-935	-0.022651	0.418624	0.485	33022	0.818531	22784	0.689964	5471	0.165677	26046	0.645614	7477	0.18534	1406	0.034851	1117	0.033826	4719	0.116972	3063	0.092756
HD-090	40307	-971	-0.023523	0.228992	0.34052	31757	0.787878	16821	0.529678	13353	0.420474	20529	0.509316	17491	0.43394	338	0.008386	244	0.007683	1196	0.029672	742	0.023365
HD-091	40409	-869	-0.021052	0.199228	0.3504	31644	0.783093	13911	0.439609	16244	0.513336	16907	0.418397	21462	0.53112	391	0.009676	287	0.00907	1068	0.02643	725	0.022911
HD-092	42233	955	0.023136	0.257825	0.41508	32485	0.769185	21458	0.660551	5721	0.176112	26469	0.626737	8146	0.19288	1880	0.044515	1374	0.042296	4343	0.102834	2811	0.086532
HD-093	40268	-1010	-0.024468	0.218444	0.41147	31553	0.783575	15064	0.477419	14166	0.448959	18391	0.456715	18414	0.45729	458	0.011374	301	0.00954	2313	0.05744	1412	0.04475
HD-094	42186	908	0.021997	0.286294	0.53517	32465	0.769568	23229	0.715509	6024	0.185554	28855	0.683995	8589	0.2036	1142	0.027071	767	0.023625	2572	0.060968	1592	0.049037
HD-095	40262	-1016	-0.024614	0.223232	0.5281	31833	0.790646	10902	0.342475	19471	0.611661	13124	0.325965	24999	0.62091	620	0.015399	450	0.014136	1144	0.028414	714	0.02243
HD-096	40274	-1004	-0.024323	0.480247	0.60048	29459	0.731464	22147	0.751791	3981	0.135137	28740	0.713612	6244	0.15504	496	0.021316	311	0.010557	3684	0.091473	2180	0.074001
HD-097	42285	1007	0.024396	0.429449	0.61268	30809	0.728604	22132	0.718362	5407	0.175501	29083	0.687785	8215	0.19428	979	0.023152	642	0.020838	2779	0.065721	1656	0.053751
HD-098	42267	989	0.023959	0.314686	0.55018	31539	0.746185	19986	0.633692	7026	0.222772	25497	0.603237	10265	0.24286	2626	0.062129	1811	0.057421	3115	0.073698	2084	0.066077
HD-099	42216	938	0.022724	0.25618	0.39054	32287	0.764805	24306	0.752811	3380	0.104686	30961	0.733395	4684	0.11095	1782	0.042211	1249	0.038684	3983	0.094348	2752	0.085236
HD-100	42273	995	0.024105	0.185883	0.3418	31479	0.74466	23144	0.73522	5053	0.16052	29972	0.70901	7333	0.17347	1333	0.031533	836	0.026557	2577	0.060488	1557	0.04946
HD-101	40691	-587	-0.014221	0.280463	0.4674	33165	0.815045	17652	0.532248	14234	0.429187	20742	0.509744	18210	0.44752	304	0.007471	223	0.006724	1039	0.025534	703	0.021197
HD-102	40268	-1010	-0.024468	0.227797	0.49577	30485	0.757053	15277	0.501132	12929	0.42411	19509	0.484479	17317	0.43004	710	0.017632	458	0.015024	1841	0.045719	1116	0.036608
HD-103	40582	-696	-0.016861	0.338218	0.4292	31475	0.77559	16996	0.539984	12847	0.408165	21281	0.524395	16906	0.41659	396	0.009758						

District	Population	Deviation	% Deviation	Polsby Popper	Reock	18+_Pop	% 18+_Pop	NH18+_Wht	% NH18+_Wht	18+_AP_Bl	% 18+_AP_Bl	NH_Wh	% NH_Wh	AP_Bl	% AP_Bl	AP_Asn	% AP_Asn	18+_AP_Asn	% 18+_AP_Asn	Hispanic Origin	% Hispanic Origin	H18+_Pop	% H18+_Pop
HD-117	40259	-1019	-0.024686	0.239308	0.42584	30100	0.747659	15493	0.514718	9132	0.303389	18696	0.464393	13535	0.3362	1591	0.039519	1145	0.03804	5257	0.130579	3322	0.110365
HD-118	42301	1023	0.024783	0.228001	0.32919	32799	0.775372	23886	0.728254	3281	0.100034	29029	0.686249	4910	0.11607	1078	0.025484	742	0.022623	6662	0.15749	4364	0.133053
HD-119	40267	-1011	-0.024492	0.26953	0.30814	32775	0.813942	24080	0.734706	6009	0.183341	28516	0.708173	7948	0.19738	713	0.017707	533	0.016262	2344	0.058211	1530	0.046682
HD-120	42095	817	0.019793	0.391029	0.48001	35197	0.836133	26992	0.766884	2334	0.066312	30200	0.717425	3162	0.07512	522	0.012401	378	0.01074	7623	0.18109	4974	0.141319
HD-121	40387	-891	-0.021585	0.17979	0.41451	32466	0.803873	15975	0.492053	13685	0.421518	18356	0.454503	18185	0.45027	435	0.010771	336	0.010349	2906	0.071954	2016	0.062096
HD-122	40249	-1029	-0.024929	0.414372	0.53075	32276	0.801908	15320	0.474656	13863	0.429514	17962	0.446272	17874	0.44409	367	0.009118	281	0.008706	3746	0.093071	2549	0.078975
HD-123	42304	1026	0.024856	0.314689	0.47517	35924	0.849187	28791	0.801442	3048	0.084846	32036	0.757281	4020	0.09503	748	0.017682	521	0.014503	4873	0.11519	3084	0.085848
HD-124	42293	1015	0.024589	0.274641	0.39282	33503	0.792164	23935	0.714414	5638	0.168283	29016	0.686071	7818	0.18485	1089	0.025749	776	0.023162	3759	0.08888	2628	0.078441